

Message Text

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C O N F I D E N T I A L STATE 100041

E.O. 11652: GDS

TAGS: UNSC, PORG, JA, US

SUBJECT: CONSULTATIONS ON JAPANESE ASPIRATIONS FOR
PERMANENT SECURITY COUNCIL SEAT

REFS: (A) STATE 85932
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SUMMARY: US CONFEREES HEADED BY ASST SEC MAYNES MET IN
DEPT APRIL 10 AND 11 WITH JAPANESE DELEGATION TO DISCUSS
GOJ ASPIRATIONS FOR PERMANENT SECURITY COUNCIL SEAT; GOJ
CANDIDACY FOR NON-PERMANENT SEAT; GOJ CONCERN REGARDING
"ENEMY STATES" CLAUSES OF UN CHARTER; AND RANGE OF OTHER
UN-RELATED ISSUES. WE BELIEVE POSITIVE RESULTS WERE
ACHIEVED IN DEMONSTRATING TO THE JAPANESE THE SINCERITY OF
OUR EFFORTS ON THEIR BEHALF AND THE SERIOUSNESS OF OUR
OPPOSITION TO TINKERING WITH THE "ENEMY STATES" CLAUSES
BECAUSE OF THEIR RELATIONSHIP TO ALLIED RIGHTS IN BERLIN.

DESPITE OUR BEST EFFORTS, HOWEVER, WE WERE UNABLE TO PUT THESE ISSUES TO REST ENTIRELY SINCE THE JAPANESE SEEMED CONVINCED OF THE NECESSITY, FOR DOMESTIC POLITICAL PURPOSES, TO KEEP ALIVE AND TO PERIODICALLY EVOKE US SUPPORT FOR SECURITY COUNCIL SEAT ASPIRATION. GOJ DEL WAS UNABLE TO MAKE DECISION CONCERNING HOW SECURITY COUNCIL QUESTION SHOULD BE HANDLED DURING FORTHCOMING PRIME MINISTERIAL

VISIT, BUT BELIEVED, IN ABSENCE OF COMMUNIQUE, THAT PRIMIN FUKUDA WOULD WISH TO CONFIRM CONTINUED USG SUPPORT TO PRESS. END SUMMARY.

1. US AND JAPANESE CONFEREES CONSULTED AT DEPT FOR OVER SIX HOURS APRIL 10 AND 11 ON GOJ ASPIRATIONS FOR PERMANENT SECURITY COUNCIL SEAT; FORTHCOMING GOJ CANDIDACY FOR NON-PERMANENT SC SEAT; GOJ CONCERN REGARDING "ENEMY STATES" CLAUSES OF UN CHARTER; AND RANGE OF UN-RELATED SUBJECTS SUGGESTED BY JAPANESE (LATTER TREATED SEPTTEL).

2. US GROUP WAS CHAIRED BY IO ASST SEC MAYNES, WITH PARTICIPATION THROUGHOUT BY DEPUTY ASST SEC HELMAN AND IO/UNP POLOFF TATU, INTERMITTENT PARTICIPATION BY DEP CONFIDENTIAL

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LEGAL ADVISOR SCHWEBEL, EA/J DIRECTOR PLATT AND DEPUTY KILPATRICK, DEPUTY ASST SEC DALLEY, ACTING DEPUTY ASST SEC COHN, AND IO/UNP DIRECTOR BARRY.

3. MOFA UN POL AFFAIRS DIV DIRECTOR MAKOTO WATANABE WAS SPOKESMAN FOR GOJ DELEGATION, ASSISTED BY EMBASSY POL COUNSELOR TATSUO ARIMA; UN MISSION POL AND LEGAL AFFAIRS COUNSELOR TAKASHI ONDA; MOFA LEGAL DIV DEP DIRECTOR YUKIO TAKEUCHI (ON "ENEMY STATES" CONSIDERATION) AND EMBASSY FIRST SEC MUTSUYOSHI NISHIMURA.

4. GOJ ASPIRATIONS FOR PERMANENT SC SEAT WERE CENTERPIECE OF DISCUSSIONS. MR. MAYNES MADE THE FOLLOWING PRINCIPAL POINTS:

-- WE HAVE COMPLETED CONSULTATIONS WITH THE FOUR OTHER PERMANENT SC MEMBERS CONCERNING JAPAN'S ASPIRATIONS FOR A PERMANENT SEAT, UNDERTAKEN FOLLOWING US-GOJ PRE-UNGA DISCUSSIONS IN NEW YORK LAST SEPTEMBER, AND MUST REPORT THAT THE RESULTS WERE NOT ENCOURAGING.

-- THE SOVIETS WERE IN TOTAL OPPOSITION, AND THE DILATORINESS OF THEIR RESPONSE ACCOUNTED FOR OUR DELAY IN GETTING BACK TO THE GOJ.

-- IT IS CLEAR THAT IF WE PRESENTED AN SC RESOLUTION ON JAPAN'S BEHALF, WE WOULD ENCOUNTER FOUR VETOS.

-- OPPOSITION BY THE OTHERS DOES NOT NECESSARILY RELATE TO JAPAN, PER SE, BUT RATHER TO CONCERN THAT EXPANDING THE SC BY ONE PERMANENT MEMBER (REQUIRING CHARTER REVISION) WOULD (A) OPEN THE DOOR TO GENERAL CHARTER REVIEW AND PRESSURE FOR AMENDMENTS, TO WHICH ALL ARE OPPOSED AND; (B) LEAD TO SIMILAR DEMANDS FOR PERMANENT SEATS FROM INDIA, BRAZIL, ITALY AND AFRICANS (EITHER FOR A COLLECTIVE

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AFRICAN SEAT OR A SEAT FOR NIGERIA), AS WELL AS EXPANSION OF THE NUMBER OF NON-PERMANENT SEATS.

-- JAPAN'S CLAIM FOR A PERMANENT SEAT IS SEEN AS SIGNIFICANT BY THE OTHER PERMANENT MEMBERS, BUT IS NOT IN ITSELF UNIQUE ENOUGH TO OVERRIDE THE CLAIMS OF OTHERS. THEREFORE, WHAT WOULD SEEM TO BE REQUIRED FOR PROGRESS TO ENHANCE JAPAN'S CHANCES IS A MECHANISM OR APPROACH TO HIGHLIGHT JAPAN'S SPECIAL AND UNIQUE STATUS.

-- THERE ARE A NUMBER OF OTHER POLITICAL ARENAS WITHIN THE UN CONTEXT, BUT NOT WITHIN THE SC PURVIEW -- SUCH AS DISARMAMENT AND THE NORTH-SOUTH DIALOGUE -- WHERE LEADERSHIP ROLES REMAIN UNTAPPED, AND WHERE, IF JAPAN WERE TO SEIZE A LEADERSHIP ROLE, IT COULD DEMONSTRATE ITS LEADERSHIP CAPABILITIES AND THEREBY ENHANCE ITS BID FOR A PERMANENT SC SEAT.

-- A DESIRE FOR GREATER PARTICIPATION IN UN ACTIVITIES COULD BE USED BY MOFA AS JUSTIFICATION FOR INCREASING JAPAN'S VOLUNTARY CONTRIBUTIONS TO VARIOUS UN AGENCIES AND ACTIVITIES, SINCE THERE IS A TENDENCY TO ELECT MAJOR CONTRIBUTORS, OVER OTHERS, TO THE VARIOUS GOVERNING BOARDS.

-- WE WERE NOT SURPRISED BY THE REACTION OF THE FOUR OTHER PERMANENT SC MEMBERS, BUT THEIR VIEWS DO NOT VITIATE OUR POSITION THAT JAPAN IS FULLY QUALIFIED FOR PERMANENT SC MEMBERSHIP.

-- WHETHER JAPAN BECOMES AN SC MEMBER OR NOT, OUR MISSION AT NEW YORK IS PREPARED TO CONSULT CLOSELY WITH THE JAPANESE MISSION ON PEACE AND SECURITY ISSUES ON A CONFIDENTIAL

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REGULAR BASIS.

WATANABE RESPONDED AS FOLLOWS:

-- THE GOJ APPRECIATES THE EFFORTS THE USG HAS MADE ON

ITS BEHALF IN THIS REGARD, UNDERSTANDS THE PROBLEMS INVOLVED, BOTH TECHNICAL AND POLITICAL, AND DID NOT EXPECT THAT THERE WOULD BE SIGNIFICANT PROGRESS IN LESS THAN A YEAR'S TIME.

-- THE GOJ WILL CONTINUE TO PURSUE PERMANENT SC MEMBERSHIP AS A LONG TERM POLICY GOAL, AND WILL BE GRATEFUL FOR CONTINUED US SUPPORT, WHICH SHOULD BE PERIODICALLY REASSERTED.

-- IN ADDITION TO DESIRING A PERMANENT SC SEAT, THE GOJ ALSO ASPIRES TO BECOME INCREASINGLY INVOLVED IN INTERNATIONAL POLITICAL QUESTIONS, AND TO TAKE ON GREATER INTERNATIONAL RESPONSIBILITIES, WHICH IT REALIZES WILL ENHANCE ITS STATURE AND CHANCES FOR A PERMANENT SEAT. BUT THIS POSES A "CHICKEN AND EGG" DILEMMA, BECAUSE DOMESTIC POLITICAL RESTRAINTS INHIBIT THE GOJ FROM MOVING OUT IN THE INTERNATIONAL POLITICAL ARENA UNTIL IT IS AN SC MEMBER, AND IT CANNOT POLISH ITS IMAGE TO QUALIFY FOR MEMBERSHIP UNTIL IT DEMONSTRATES INTERNATIONAL LEADERSHIP CAPABILITIES.

-- THE GOJ, FOR EXAMPLE, IS COMMITTED TO INCREASING ITS VOLUNTARY CONTRIBUTIONS, AND FOR THIS FISCAL YEAR MOFA CALCULATES THAT \$60 MILLION PLUS WILL BE NEEDED, BUT "CONSERVATIVE" VOICES WITHIN THE GOVERNMENT DO NOT AGREE THAT THE GOJ SHOULD GO FORWARD SO EXPANSIVELY IF IT HAS NO "VOICE", I.E., WITHIN THE SC.

-- IN JAPAN THE SC IS CONSIDERED NOT JUST AS AN AGENCY OR INSTRUMENTALITY OF THE UN, BUT SYMBOLICALLY THE EMBODY-
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MENT OF THE UN, AND IT IS A MATTER OF FRUSTRATED NATIONAL PRIDE THAT JAPAN IS NOT A PERMANENT MEMBER.

-- THE JAPANESE WOULD BE MOST INTERESTED IN CLOSE CONSULTATIONS WITH USUN, AS MR. MAYNES SUGGESTED, AND WOULD LIKE TO "INSTITUTIONALIZE" OR "FORMALIZE" THESE EXCHANGES.

-- THE GOJ REALIZES THAT THE QUESTION OF A PERMANENT SC SEAT IS A LONG TERM PROPOSITION AND HOPES THAT IT CAN CONTINUE TO CONSULT WITH THE US AND THAT THE US WILL CONTINUE TO CONSIDER APPROACHES TOWARDS ACHIEVEMENT OF JAPANESE GOAL.

5. ON THE MATTER OF A US REFERENCE TO ITS POSITION ON THE PERMANENT SC SEAT DURING PRIME MINISTER FUKUDA'S FORTHCOMING VISIT, MR. MAYNES RECALLED THE ADMONITIONS OF MOFA UN BUREAU DIRECTOR OKAWA LAST FALL (REF B), WHEN HE SUGGESTED THAT FURTHER PUBLIC REFERENCE BY THE US WOULD NOT BE

HELPFUL.

WATANABE SAID HE WAS NOT ABLE TO MAKE A JUDGMENT ON THIS QUESTION, SINCE POSITION PAPERS FOR FUKUDA'S VISIT ARE STILL BEING DRAFTED IN TOKYO, BUT THAT HE WOULD HOPE THE US WOULD BE PREPARED TO REITERATE AS APPROPRIATE ITS SUPPORT FOR JAPAN'S PERMANENT MEMBERSHIP. THIS WAS ECHOED BY HIS COLLEAGUES WHO SPOKE OF THE IMPORTANCE, FOR DOMESTIC POLITICAL CONSUMPTION, OF KEEPING THE ISSUE

"ALIVE" WITH PERIODIC REFERENCES TO US SUPPORT. WATANABE SAID IT HAS ALREADY BEEN DECIDED THAT THERE WILL BE NO JOINT COMJUNIQUE, BUT HE SAID THAT PRIMIN FUKUDA MIGHT WELL BE ASKED ABOUT THE USG POSITION ON A PERMANENT SEAT FOR JAPAN BY THE PRESS, AND SHOULD BE FREE TO STATE THAT CONFIDENTIAL

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THE USG POSITION OF SUPPORT FOR JAPANESE ASPIRATIONS REMAINS UNCHANGED. WE SO AGREED. WE WOULD APPRECIATE EMBASSY'S CONFIRMING THIS SCENARIO WITH FONOFF.

6. THE JAPANESE POSITION ON PUBLIC REFERENCE TO US SUPPORT SEEMS AMBIGUOUS, AT BEST. THIS WAS ILLUSTRATED WHEN THE JAPANESE DELEGATION ADVISED US THAT WASHINGTON-BASED JAPANESE CORRESPONDENTS HAD BECOME AWARE OF WATANABE'S VISIT AND ASKED FOR AGREEMENT ON PRESS GUIDANCE. THEY PROPOSED WE SAY WATANABE HAD COME FOR GENERAL TOUR D'HORIZON, AND ONLY IF ASKED CONCEDE THAT PERMANENT SC SEAT HAD BEEN DISCUSSED. (IN THE EVENT, THERE WERE NO PRESS INQUIRIES).

7. CONCERNING GOJ CANDIDACY FOR A NON-PERMANENT SC SEAT, MR. MAYNES SAID THAT WITHIN THE FRAMEWORK OF THE WELL-KNOWN US POSITION RESPECTING REGIONAL GROUP CHOICES, WE WOULD BE DELIGHTED TO SEE JAPAN ELECTED NEXT YEAR, AND WITHIN THE LIMITS THIS POLICY IMPOSES WOULD DO ALL WE COULD TO HELP OUT. WATANABE SAID BANGLADESH PRESIDENT RECENTLY VISITED JAPAN, AND THAT PRIMIN FUKUDA IMPRESSED UPON HIM THE WISDOM OF WITHDRAWING BANGLADESHI SC CANDIDACY, BUT THERE WERE NO COMMITMENTS. HE SUGGESTED GOJ IS STILL IN THE "INITIAL STAGES" OF ITS ELECTORAL CAMPAIGN, AND COULD PROBABLY PREVAIL IF IT CAMPAIGNS VIGOROUSLY, BUT WOULD LIKE TO AVOID BRUISED FEELINGS. BANGLADESH, HE SAID, ASSERTED IT HAS SUPPORT OF NON-ALIGNED, THE COMMONWEALTH AND ISLAMIC GROUPS, AND ASKED IF THERE WAS ANYTHING US COULD DO TO DISCREETLY WIN SUPPORT FOR JAPAN, PERHAPS WITH IRAN AND SAUDI ARABIA. WE SUGGESTED WE WOULD LOOK INTO THE POSSIBILITIES BUT ARE CONCERNED THAT IF OUR HAND IS TOO CLEARLY SEEN, IT MIGHT PROVE COUNTER-PRODUCTIVE. WATANABE ADDED THAT BULGARIAN "PRESIDENT" HAD ALSO RECENTLY VISITED JAPAN AND HAD QUICKLY ACCEDED TO FUKUDA'S IMPORTUNINGS TO HELP BRING EES TO SUPPORT OF JAPAN'S CANDIDACY.

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8. DISCUSSION OF "ENEMY STATES" CLAUSES OF UN CHARTER, ARTICLES 53 AND 107, WAS PRIMARILY BETWEEN DEP LEGAL ADVISER SCHWEBEL AND TAKEUCHI. WATANABE OBSERVED THAT ALTHOUGH THERE HAD BEEN PRIOR INFORMAL DISCUSSION OF THIS QUESTION IN NEW YORK, THIS REPRESENTED FIRST FORMAL BILATERAL EXCHANGE. GOJ VIEW IS THAT SINCE JAPAN HAS

BEEN ACCEPTED AS A UN MEMBER, IT IS "PEACE LOVING" AND CANNOT THEREFORE BE CONSIDERED AN "ENEMY STATE" WITHIN THE MEANING OF 53 AND 107. SCHWEBEL REPLIED THAT THE US CANNOT AGREE THAT ARTICLES 53 AND 107 DO NOT RELATE TO UN MEMBERS. ALLIED RIGHTS IN BERLIN MIGHT BE SUBJECT TO CHALLENGE WITHOUT ARTICLES 53 AND 107, AND AN EFFORT TO MODIFY THEM WOULD RAISE QUESTIONS WHICH ARE BETTER OFF LEFT UNASKED. ARTICLES 53 AND 107 ARE NEEDED TO DEFLECT POSSIBLE CLAIMS BY GDR THAT ALLIED RIGHTS OF JURISDICTION IN AND ACCESS TO BERLIN CLASH WITH UN CHARTER PRINCIPLES OF TERRITORIAL INTEGRITY, POLITICAL INDEPENDENCE, SOVEREIGN EQUALITY AND SELF-DETERMINATION. AS REGARDS JAPAN, IN VIEW OF THE 1951 PEACE TREATY PROVISIONS RECOGNIZING JAPAN'S FULL SOVEREIGNTY AND ITS STATUS AS A SOVEREIGN EQUAL, AND SPECIFYING THAT THE ALLIED POWERS WILL BE GUIDED BY ARTICLE 2 OF THE UN CHARTER (AND HENCE, ARGUABLY NOT 53 AND 107), WE BELIEVE THOSE STATES WHICH HAVE SIGNED THE TREATY WITH JAPAN MAY BE VIEWED AS HAVING RENOUNCED ANY RIGHTS TO INVOKE ARTICLES 53 AND 107 AGAINST JAPAN. TAKEUCHI SEEMED TAKEN WITH THIS THEORY, WHICH HE SAID HAD NOT BEEN CONSIDERED BY MOFA, AND ASKED IF IT WAS A "CONSULTATIVE VIEW." SCHWEBEL INDICATED THAT WE BELIEVE IT TO BE THE PREVAILING THEORY, THOUGH IT HAD NOT BEEN THE SUBJECT OF SPECIFIC CONSULTATION WITH THE UK AND FRANCE. ALTHOUGH TAKEUCHI

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SAID THE GOJ IS CONCERNED THAT THE USSR, WHICH HAS NOT SIGNED THE PEACE TREATY, MIGHT ONE DAY SEEK TO USE ARTICLE 107 AS JUSTIFICATION FOR THEIR OCCUPATION OF THE "NORTHERN TERRITORIES," WATANABE OBSERVED THAT THE QUESTION IS, ONCE AGAIN, PRIMARILY ONE OF DOMESTIC CONCERN AND INJURED NATIONAL PRIDE. SCHWEBEL NOTED THAT ARTICLE 107, A "TRANSITIONAL SECURITY ARRANGEMENT", DOES NOT PROVIDE SOLID BASIS FOR ANNEXATION OF TERRITORY. WATANABE ASKED IF A GENERAL ASSEMBLY RESOLUTION STATING THAT ARTICLES 53 AND 107 ARE NOT APPLICABLE TO MEMBER STATES WOULD BE ACCEPTABLE TO THE US. SCHWEBEL REPLIED THAT BECAUSE OF THE PROBLEMS SUCH A RESOLUTION WOULD ENTAIL FOR ALLIED RIGHTS IN BERLIN, IT WOULD NOT. HE SUGGESTED INSTEAD THAT IF JAPAN FEELS IT NECESSARY TO SEEK INTER-

NATIONAL ASSURANCES, IT MIGHT DO SO ON A BILATERAL BASIS, OUTSIDE THE FRAMEWORK OF THE UN. THE DISCUSSION OF "ENEMY STATES" ENDED ON THAT NOTE AND WITH A STATEMENT FROM TAKEUCHI THAT THE CONSULTATION HAD PROVIDED HIM WITH A MUCH BETTER APPRECIATION OF THE US POSITION.

9. COMMENT: THE GOJ IS OBVIOUSLY NOT GOING TO ABANDON ASPIRATIONS FOR PERMANENT SC MEMBERSHIP, BUT IT IS AT

THIS POINT UNCLEAR HOW IT MIGHT CHOOSE TO PURSUE THIS LONG-TERM GOAL. WE BELIEVE WE HAVE DEMONSTRATED TO THEM THAT WE HAVE MADE A SERIOUS EFFORT, TO THE EXTENT POSSIBLE, AND THAT THERE ARE NO FURTHER APPROACHES WE CAN USEFULLY TAKE UNILATERALLY. THE GROUNDWORK MAY HAVE BEEN LAID FOR CLOSER US-JAPANESE COOPERATION IN DEVISING METHODS FOR THE GOJ TO ASSUME A MORE FORWARD LOOKING INTERNATIONAL LEADERSHIP ROLE SHOULD JAPAN BE ELECTED TO THE COUNCIL NEXT YEAR. OUR DISCUSSION OF THE "ENEMY STATES" CLAUSES ENDED INCONCLUSIVELY, BUT WE BELIEVE THE JAPANESE NOW BETTER UNDERSTAND THE REASONS FOR AND SERIOUSNESS OF OUR OPPOSITION TO TINKERING WITH THE CLAUSES. OUR DISCUSSIONS WERE WIDE-RANGING, CANDID AND CORDIAL, AND WE BELIEVE CONFIDENTIAL

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ACHIEVED A POSITIVE OUTCOME IN HELPING EACH SIDE TO BETTER UNDERSTAND THE POSITION OF THE OTHER ON THESE IMPORTANT ISSUES. THE JAPANESE PARTICIPANTS, HOWEVER, DID NOT SEEM PERSUADED THAT THE PERMANENT SECURITY COUNCIL SEAT QUESTION SHOULD BE LAID TO REST. IN THIS REGARD, OUR IMPRESSION IS THAT OKAWA MAY BE MORE RECEPTIVE TO OUR ARGUMENTS -- AND MORE WILLING TO ACCEPT THE CONCLUSIVE OUTCOME OF US CONSULTATIONS -- THAN JAPANESE OFFICIALS WHO ATTENDED THESE MEETINGS. WE THEREFORE SUGGEST THAT EMBASSY TOKYO RUN THROUGH WITH OKAWA THE POINTS MADE BY US HERE, IN FURTHERANCE OF OUR EFFORT TO PUT THE SC PERMANENT MEMBER ISSUE BEHIND US.

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